

Comparison of EPR Regulations (Colorado, California, Minnesota, Oregon) for Fresh Produce Businesses

This document summarizes key aspects of Extended Producer Responsibility (EPR) regulations in Colorado, California, Minnesota, and Oregon, focusing on the definition of “producer,” compliance deadlines, and major requirements. It is tailored for companies operating in the fresh produce sector that distribute or package consumer-facing goods.

State	Definition of Producer	Compliance Deadlines	Key Requirements & Notes
Colorado	Includes anyone manufacturing, packaging, importing, or distributing packaged goods or paper products. Exemptions: <\$5M revenue, <1 ton/year, small ag employers.	- Register with CAA by Oct 1, 2024 - Preliminary reporting Aug 2025 - First dues Jan 1, 2026 - Program active July 1, 2025	- Must join PRO (CAA) or file plan - Minimum recyclability & PCR targets (2030/2035) - Free consumer recycling, annual audits - Penalties up to \$20K/day.
Oregon	Applies to businesses selling packaging, paper, food serviceware, etc. Consumer-facing packaged goods included.	- Register & sign PRO by July 1, 2024 - First supply report by March 31, 2025 - Program live July 1, 2025	- Join CAA and sign Packaging Producer Agreement - Fees based on lifecycle assessments (LCAs).
California	Manufacturers, brand owners, repackagers, importers of packaged goods and paper. Brand licensing included under SB54/SB343.	- Rulemaking delayed in 2025 - Expected launch 2026–27 - Reporting TBD	- Must join CAA when active - Fees based on material & weight - PCR mandates likely; rulemaking ongoing.
Minnesota	Manufacturers, brand owners, distributors of packaging and paper products, including importers.	- Register by July 1, 2025 - Needs assessment Dec 31, 2026 - Stewardship plan by 2028	- Partial funding model (PRO/public) - Reporting and fees start in later phases - Some paper exemptions under review.

****Next Steps for Fresh Produce Businesses:**** - Register with Circular Action Alliance (CAA) where required (CO, OR, MN; CA pending). - Collect packaging data (materials, weights, recyclability, PCR %). - Verify exemption eligibility (especially for Colorado small agricultural producers). - Monitor ongoing rulemaking in California and Minnesota to stay compliant.